

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARIANNE LOTHRINGEN,

Plaintiff,

Case No. 01-72077

v.

HONORABLE DENISE PAGE HOOD

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

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ORDER ACCEPTING REPORT AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Steven D. Pepe's Report and Recommendation dated December 30, 2005. Neither Party has filed objections to this Report.

Magistrate Judge Pepe recommended that the Court grant in part Plaintiff's Motion for Summary Judgment and remand the case for further proceedings consistent with the Report and Recommendation, and deny the Defendant's Motion for Summary Judgment.

After careful review and consideration, the Court finds that the Magistrate Judge reached the correct conclusion for the proper reasons.

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Steven D. Pepe, **[Docket No. 25, filed December, 2005]** is ACCEPTED and ADOPTED as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment **[Docket No. 19, filed June 3, 2005]** is GRANTED IN PART.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [**Docket No. 24, filed August 22, 2005**] is DENIED.

IT IS FURTHER ORDERED that this matter is REMANDED for further proceedings consistent with Magistrate Judge Steven D. Pepe's Report and Recommendation.

s/ DENISE PAGE HOOD
DENISE PAGE HOOD
United States District Judge

DATED: February 6, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 6, 2006, by electronic and/or ordinary mail.

s/William F. Lewis
Case Manager